

91st Illinois General Assembly

Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

65th Legislative Day

January 20, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? And will the guests in the gallery please rise? Our prayer today will be given by Reverend Dr. Kevan Franklin, First Congressional -- Congregational Church of Christ, Springfield, Illinois. Reverend Franklin.

THE REVEREND DR. KEVAN FRANKLIN:

(Prayer by the Reverend Dr. Kevan Franklin)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Wednesday, January 19th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Resolutions.

SECRETARY HARRY:

Senate Resolution 262, offered by Senator O'Malley.
It's substantive, Mr. President.

PRESIDENT PHILIP:

Introduction of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1400, offered by Senators Klemm and Watson.
(Secretary reads title of bill)

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Senate Bill 1401, offered by Senator Link.
(Secretary reads title of bill)

Senate Bill 1402, offered by Senator Ronen.
(Secretary reads title of bill)

Senate Bill 1403, offered by Senator Halvorson.
(Secretary reads title of bill)

Senate Bill 1404, offered by Senator Wendell Jones.
(Secretary reads title of bill)

Senate Bill 1405, offered by Senator Lisa Madigan.

(Secretary reads title of bill)

Senate Bill 1406, offered by Senator Lisa Madigan.

(Secretary reads title of bill)

Senate Bill 1407, offered by Senator Obama.

(Secretary reads title of bill)

Senate Bill 1408, also offered by Senator Obama.

(Secretary reads title of bill)

Senator Noland offers Senate Bill 1409.

(Secretary reads title of bill)

Senate Bill 1410, offered by Senator Parker.

(Secretary reads title of bill)

Senate Bill 1411, offered by Senator Watson.

(Secretary reads title of bill)

Senator Trotter offers Senate Bill 1412.

(Secretary reads title of bill)

Senate Bill 1413, offered by Senator Obama.

(Secretary reads title of bill)

Senate Bill 1414, offered by Senator Munoz.

(Secretary reads title of bill)

Senate Bill 1415, offered by Senators Munoz and Dudycz.

(Secretary reads title of bill)

Senate Bill 1416, offered by Senator Munoz.

(Secretary reads title of bill)

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Senator Burzynski offers Senate Bill 1417.

(Secretary reads title of bill)

Senate Bill 1418, by Senator Shaw.

(Secretary reads title of bill)

Senate Bill 1419, offered by Senator Cronin.

(Secretary reads title of bill)

Senate Bill 1420, offered by Senator Cronin.

(Secretary reads title of bill)

Senate Bill 1421, offered by Senator O'Malley.

(Secretary reads title of bill)

Senate Bill 1422, also offered by Senator O'Malley.

(Secretary reads title of bill)

Senate Bill 1423, offered by Senator O'Malley.

(Secretary reads title of bill)

And Senate Bill 1424, offered by Senator Robert Madigan.

(Secretary reads title of bill)

1st Reading of the bills.

Senate Bill 1425, offered by Senator Dudycz.

(Secretary reads title of bill)

And Senate Bill 1426, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones, for what purpose do you arise, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. A -- personal privilege and -- personal privilege and a -- inquiry of the Senate President. Yesterday, I -- I received notice from the President, in writing, changing the makeup of the Judiciary Committee. And that change was one where you added one Member from your side of the aisle, giving you a majority of eight Republicans and four Democrats. Now what they -- the -- the disparity on that committee, it was

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already seven to four, and now you've gone to eight to four, which is two-thirds of the -- of the Judiciary Committee made up from Members on your side of the aisle. We had thought, perhaps, on this committee and all other committees that there has been a disparity between the number of Democrats being appointed to committees as there are Republicans. I don't know the rationale -- well, I recognize seven to four is not fair, but I don't know the rationale here, in midterm -- midterm of Session, that all of a sudden you have to increase the Members on the Judiciary Committee for Members on your side of the aisle, but you didn't increase the number on this side of the aisle. Perhaps you could explain to the Members on this side of the aisle and, perhaps, on

your side of the aisle why you see a need to have two-thirds of the Members on the Judiciary Committee from your side of the aisle and not even give an increase on this side of the aisle. We -- we -- we -- yes -- yes...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka, for what purpose do you arise, sir?

SENATOR PETKA:

Just to clarify a point. Mr. President, Members of the Senate, the Judiciary Committee, with the rule change, will have seven Members from the Majority side, four from the Minority side. That is in line with the way the committee was functioning a number of years back.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones, for what purpose do you arise, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. A correction in my statement: I really meant from six to seven. Now, what happened is this, I know you've increased the Majority on your side of the aisle, and the Members on this side of the aisle should also have an increase so we can try to keep a ratio, a balance, on -- on the

respective committee. We recognize you do have the majority, but could you explain why you only increase from one from your side of the aisle and gave total disregard to the Members on this side of the aisle as it relate to appointing Members to the -- the Judiciary Committee? The -- it would be nice if the proportions on the committee would remain either one or two possible votes. But this big increase, going from six to seven to only four, really does not make sense. Now I know we've been dealing with some critical issues as relate to the gun legislation. I don't know who made the recommendation. Did it come from the Rifle Association or the group that's for the conceal and carry? I don't know. But I think an explanation should be given to the Body why you have to increase the Members on that side of the aisle on that committee and keep the Members on this side of the aisle at four on the -- the Judiciary Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Senator Jones, you've made your point. Thank you. Senator Cullerton, on another subject? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. On behalf of our Leader, he asked a question of the Chair, which has been done in the past, where you traditionally sit there and don't respond. He asked the question why the committee that I'm the Democratic Spokesman on is going from six to four to seven to four. Six to four wasn't fair in the first place. It was only done because you probably didn't even trust your Chairman. So now it's seven to four. It's not proportionate to the number of Democrats that we have in the entire Senate. We'd like a response, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton, the point has been made. We're not going to get into an ongoing debate this morning on that issue. On page 2 of today's Calendar, on the Order of Senate Bills 2nd Reading.

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House Bill -- Senate Bill 1358. Senator Dillard? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1358.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1359. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1359.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1360. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1360.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1361. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1361.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1362. Senator Dillard. Read the

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bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1362.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments

reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1363. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1363.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1364. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1364.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1365. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1365.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd -- 3rd Reading. Committee Reports.

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ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Commerce and Industry Committee - Senate Bill -- 1331; refer to Education Committee - House Bills 2580 and Senate Bill 1295; refer to Executive Committee - Senate Bills 1277 and 1389; refer to Judiciary Committee - Senate Bills 1231 and 1388; refer to Revenue Committee - Senate Bills 1276, 1304, 1312 and 1326; refer to Transportation Committee - House Bill 2883; and Be Approved for Consideration - Senate Bill 677 and Senate Amendment No. 2 to Senate Bill 677; re-refer from Transportation to Rules - Senate Bill 1252.

Filed January 20, year 2000.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any discussion? Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 50, offered by Senator Donahue.

(Secretary reads SJR No. 50)

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint

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Resolution 50. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Donahue now moves -- has moved for the adoption of Senate Joint Resolution 50. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. All right. Ladies and Gentlemen, we have effectively concluded our work for today. You will recall that we have suspended the Session for next Tuesday. We'll be in next Wednesday and Thursday. Senator Clayborne, for what purpose do you arise, sir?

SENATOR CLAYBORNE:

Mr. President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point, sir.

SENATOR CLAYBORNE:

Yes. I'd like the Senate to welcome Harriett Scott, Lashunda Baldwin and Valerie Samuels, who are here for the Head Start conference that's being held here in Springfield. And they're from the best district in this State, my -- my -- my senatorial district.

PRESIDING OFFICER: (SENATOR MAITLAND)

There could be some debate on that, Senator Clayborne, but, our guests, welcome. We're -- nice -- nice to have you here. Welcome to Springfield. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

I just had a -- a parliamentary inquiry. Back in December, we had the good fortune to have three Special Sessions - 1, 2 and 3. Are we still including those in the call? Or are we -- have -- have we -- are they sine die, or -- what's happened to them? Are they still around? Or do we need a Special Session 4, or what -- what are we doing?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Sessions 1 and 2 are meeting in perfunctory Session, pursuant to the Constitution requirements. Senator Demuzio.

SENATOR DEMUZIO:

Don't we have to journalize anything? Or have we already passed a resolution indicating that they're in perfunctory? I mean, there was nothing ever in the record that indicated that -- to that, to my knowledge. It seems to me that they've -- they've just dissipated. ...hey. Woe. We -- we ought to just do something with them. I think they're dead -- they're dead now, since they haven't been journalized and we haven't continued them...

PRESIDING OFFICER: (SENATOR MAITLAND)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1427, offered by Senator Sullivan.

(Secretary reads title of bill)

Senate Bill 1428, by Senator del Valle.

(Secretary reads title of bill)

Senate Bill 1429, offered by Senator Petka.

(Secretary reads title of bill)

Senate Bill 1430 is presented by Senator Karpiel.

(Secretary reads title of bill)

Senate Bill 1431, by Senator Clayborne.

(Secretary reads title of bill)

And Senate Bill 1432, by Senator Cullerton -- Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolution 263, offered by Senator Karpel.

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It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. Senator Demuzio, let me get back to you, sir, to your inquiry: Pursuant to the Senate -- to our Senate Rules, the President can schedule perfunctory Session days. This applies to Special Sessions, as well as regular Sessions. We are, therefore, meeting the constitutional requirements. Senator Demuzio.

SENATOR DEMUZIO:

Well, it would -- it seems to me that if we're -- we're going to do that, we ought to journalize the fact that they were, in fact, perfunctory, number one. And secondly, it seems to me that we ought to be obligated to have a Calendar that says 1, 2, and 3. Otherwise, I don't know whether or not these Special...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, they will be journalized. They will be journalized. And -- and -- and you're on the committee. You will see them. Senator Demuzio.

SENATOR DEMUZIO:

I'm not trying to be argumentative, but...

PRESIDING OFFICER: (SENATOR MAITLAND)

I...

SENATOR DEMUZIO:

...if, in fact, they are journalized, then we ought to open Special -- Special Session 1, and 2, and 3 individually and then adjourn, or perfunctory do that. It seems to me that these things are still out there and I don't think that they are valid any longer.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, you may recall, earlier in the month, I guess -- I guess it was in December, 1 and 2 do convene in perfunctory Session every three days. They are -- they are convening. I

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mean, we aren't here. Senator Demuzio.

SENATOR DEMUZIO:

...guess that's my point. We haven't journalized the fact that we are -- that these Sessions are in -- in perfunctory. We have not opened and closed those Sessions, as we ought to be doing.

PRESIDING OFFICER: (SENATOR MAITLAND)

Well, only to respond, they will be journalized, and you'll see them, sir. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Is that soon, or some time in my lifetime?

PRESIDING OFFICER: (SENATOR MAITLAND)

It will -- it will be soon. Is there any further business to come before the Senate? If not, the Senate will stand adjourned -- Senator Geo-Karis moves that the Senate stand adjourned until January 26th - Wednesday, January 26, 2000. The Senate is adjourned.

